UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,746	08/14/2003	Ying-Hao Hsu	ACMP0131USA	1745

27765   7590   12/13/2007

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER
SAUNDERS JR, JOSEPH

ART UNIT	PAPER NUMBER
2615	

NOTIFICATION DATE	DELIVERY MODE
12/13/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

winstonhsu.uspto@gmail.com
Patent.admin.uspto.Rcv@naipo.com
mis.ap.uspto@naipo.com.tw

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/604,746	HSU ET AL.
	Examiner	Art Unit
	Joseph Saunders	2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication..
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>13 November 2007</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-9,11 and 26</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-9,11 and 26</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>13 July 2007</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20071205

DETAILED ACTION

1.   This office action is in response to the communications filed November 13, 2007.

Claims 1 – 9, 11, and 26 are currently pending and considered below..

Response to Arguments

2.   Applicant's request for reconsideration of the rejections presented in the last

Office action is persuasive and, therefore, the finality of that action is withdrawn.

3.   Applicant's arguments, see page 5 line 8 – page 6 line 3, filed November 13,

2007, with respect to the rejection of claim 1 under 35 U.S.C. 103 (a) as being

unpatentable over Lai et al. (US 2004/0102860 A1) in view of Balaji et al. (US

2002/0143523 A1) have been fully considered and are persuasive. Therefore, the

rejection has been withdrawn. However, upon further consideration, a new ground(s) of

rejection is made in view of 35 U.S.C. 103(a) as being unpatentable over Lai et al. (US

2004/0102860 A1) in view of Hobson (US 2002/0093506 A1).

4.   Applicant's arguments, see page 7 lines 12 – 27 are, filed November 13, 2007,

with respect to the rejection of claim 26 under 35 U.S.C. 103 (a) as being unpatentable

over Lai et al. (US 2004/0102860 A1) in view of Holtz et al. (US 2002/0186233 A1) have

been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of 35

U.S.C. 103(a) as being unpatentable over Lai et al. (US 2004/0102860 A1) in view of

Holtz et al. (US 2002/0186233 A1) and Krause (US 6,931,587 B1).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 2, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai et al. (US 2004/0102860 A1), hereinafter Lai, in view of Hobson (US 2002/0093506 A1), hereinafter Hobson.

Claim 1: Lai teaches an audio player (Figure 3 and Figure 4) comprising: a memory (storage element 31) for storing a first audio file and a first text file, the first text file containing texts of the corresponding first audio file ("store at least one song file and at least one image file," [0017]); a user interface (play menu, [0018]) for selecting the first audio file; a controller (input element 38) for loading the first audio file and the first text file; a decoder (decoder 34) for converting the first audio file into audio signals; an audio output port (audio output element 36) for outputting the audio signals; a video output port for displaying texts stored in the first text file on a display device electrically coupled to the video output port (display element 35); and a text calculating circuit (CPU 30) for calculating a rate at which text is displayed on the display device according to a predetermined relationship between a duration of the first audio file and a size of the first text file.

Lai does not teach a character set file stored in the memory, the character set file containing a list of only those characters included in all text files stored in the memory of the audio player. Hobson teaches an apparatus and method for storing and retrieving images for transmission to an output device and Discloses in the Background of the Invention paragraph [0009] that a well known technique for improving the efficiency of file storage is to reduce the size of files containing images. Hobson further teaches font subsetting is often used where the "technique is to create a font and include in it only those characters that appear in the text of the document". Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have to modify the audio player of Lai to include a font subsetting technique as disclosed by Hobson to store a character set file or font containing only those characters included in all text files stored in the memory of the audio player, thereby allowing for efficient file storage.

Claim 2: Lai and Hobson teach the audio player of claim 1 and further comprising a first linking file stored in the memory, the first linking file utilized for linking the first text file to the corresponding first audio file ("image file and a song file matched with the index of the song," Lai [0019]).

Claim 9: Lai and Hobson teach the audio player of claim 1 further comprising an interface port (connector 37, Lai Figure 3) for transferring files from a host device to the memory of the audio player.

Claim 11: Lai and Hobson teach the audio player of claim 1 wherein the decoder is an MP3 decoder ("compression format of a MPEG layer 3 (MP3)," Lai [0004]).

7.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lai and Hobson in view of Michelson et al. (US 2002/0072047 AI), hereinafter Michelson.

Claim 3: Lai and Hobson teach the audio player of claim 1 further comprising a first image file (image file, Lai [0017]) stored in the memory (storage element 31, Lai Figure 3). However, the image file of the Lai and Hobson only serves to display the lyrics of the song. It does not provide the function of serving as a background image. In the same field of endeavor, Michelson teaches a karaoke system where a background image file (Figure 1, image 20) is integrated with a text file (Figure 1, image 22) to form a composite image (Figure 1, composite image 32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to replace the image file of the modified device of Lai with the composite image of Michelson "for viewing" pleasure (Michelson [0004]).

8.   Claims 4, 5, 6, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai and Hobson in view of Holtz et al. (US 2002/0186233 A1), hereinafter Holtz.

Claim 4: Lai and Hobson teach the audio player of claim 1 wherein the audio player displays lyrics onto the screen. Lai and Hobson do not specify wherein the rate at which text is displayed on the display device satisfies the equation $F=N/T$, where F represents a moving frequency at which text is displayed on the display device, T represents the duration of the first audio file and, N represents a quantity of text stored in the first text file. In the same field of endeavor, Holtz teaches a method of calculating the rate at which text is displayed onto a screen ("scroll rate is measured in terms of words per unit of time," [0135]). Holtz calculates this frequency by dividing N (Figure 5a, description 544) by T (Figure 5a, duration 543). Therefore, since Lai and Hobson do not specify how the frequency is calculated, it would have been obvious to one of ordinary skill in the art at the time of the invention to calculate the frequency of the device of Lai and Hobson using the method of Holtz, so that the text may be "displayed to the talent who is to read the scrolling text from a display" (Holtz [0273]).

Claim 5: Lai, Hobson, and Holtz teach the audio player of claim 4 wherein the user interface is utilized for selecting a calculation mode (Holtz, Figure 5A, fields 540, 542, 543 calculates a time duration, which is a quantity used in determining the scroll rate) of the audio player.

Claim 6: Lai, Hobson, and Holtz teach the audio player of claim 5 wherein the quantity of text N is selected from a group consisting of Nc, Nw, Ns, and Np according to the selected calculation mode, wherein Nc represents a number of characters in the first

text file, Nw ("words", Holtz [0135]) represents a number of words in the first text file, Ns

represents a number of sentences in the first text file, and Np represents a number of

paragraphs in the first text file.

Claim 7: Lai and Hobson teach the audio player of claim 1 wherein the user interface

(play menu, Lai [0018]) comprises input buttons (input element 38, Lai Figure 4).

However, Lai and Hobson do not specifically teach that the input buttons are for

scrolling through the text displayed on the display device. In the same field of endeavor,

Holtz teaches input buttons for scrolling through the text displayed on the display device

("activating next file button 604 causes teleprompting system 108 to cue the next

sequential script in the playlist," [0137]). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to configure the buttons of the device

of Lai and Hobson to scroll through text, in a similar manner taught by Holtz, in order to

make it easier for the user "to read the scrolling text from a display" (Holtz [0273]).

Claim 8: Lai and Hobson teach the audio player of claim 1 wherein the user interface

(play menu, Lai [0018]) comprises input buttons (input element 38, Lai Figure 4).

However, Lai and Hobson do not specifically teach that the input buttons are for

changing the rate at which text is displayed on the display device. In the same field of

endeavor, Holtz teaches input buttons for changing the rate at which text is displayed on

the display device ("speed-up button 616 or slow-down button 618," [0135]). Therefore,

it would have been obvious to one of ordinary skill in the art at the time of the invention

to configure the buttons of the device of <u>Lai</u> and <u>Hobson</u> to change the rate at which text

is displayed, in a similar manner taught by <u>Holtz</u>, in order to allow the user "to increase

or decrease the scroll rate" (<u>Holtz</u> [0282]).

9.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Lai</u> in

view of <u>Holtz</u> and Krause (US 6,931,587 B1), hereinafter <u>Krause</u>.

Claim 26: <u>Lai</u> teaches an audio player (Figure 3 and Figure 4) comprising: a memory

(storage element 31) for storing a first audio file and a first text file, the first text file

containing texts of the corresponding first audio file ("store at least one song file and at

least one image file," [0017]); a user interface (play menu, [0018]) for selecting the first

audio file; a controller (input element 38) for loading the first audio file and the first text

file; a decoder (decoder 34) for converting the first audio file into audio signals; an audio

output port (audio output element 36) for outputting the audio signals; a video output

port for displaying texts stored in the first text file on a display device electrically coupled

to the video output port (display element 35); and a text calculating circuit (CPU 30).

Lai does not specify wherein the rate at which text is displayed on the display

device satisfies the equation $F=N/T$, where F represents a moving frequency at which

text is displayed on the display device, T represents the duration of the first audio file

and, N represents a quantity of text stored in the first text file. <u>Lai</u> also does not teach

wherein the user interface is utilized for selecting a calculation mode of the audio player

for selecting the quantity of text N from a group consisting of N_c, N_s, and N_p, wherein

Nc represents a number of characters in the first text file, Ns represents a number of sentences in the first text file, and Np represents a number of paragraphs in the first text file.

In the same field of endeavor, Holtz teaches a method of calculating the rate at which text is displayed onto a screen ("scroll rate is measured in terms of words per unit of time," [0135]). Holtz calculates this frequency by dividing N (Figure 5a, description 544) by T (Figure 5a, duration 543). Holtz further teaches input buttons for scrolling through the text displayed on the display device ("activating next file button 604 causes teleprompting system 108 to cue the next sequential script in the playlist," [0137]) and Holtz teaches input buttons for changing the rate at which text is displayed on the display device ("speed-up button 616 or slow-down button 618," [0135]). While Holtz teaches how to calculate and change the scroll rate of text displayed on a device and also teaches the quantity of text being chosen as Nw or "words per unit time", Holtz like Lai does not teach where the quantity of text being selected from a group consisting of Nc, Ns, and Np.

Again in the same field of endeavor, Krause teaches that rates "may be defined in different units of speed (e.g., words per unit time, lines per unit time, characters per unit time)," Column 6 Lines 14 – 17. Therefore while Holtz does not explicitly teach rates or speeds other than "word per unit time", Holtz does teach that the rates are adjustable via user interface and Krause further demonstrates that like "words per unit time", "characters per unit time" or even "lines per unit time" (sentences or paragraphs) can be appropriated chosen to change the rate or speed at which text is displayed.

Therefore, since <u>Lai</u> does not specify how the frequency is calculated, it would have been obvious to one of ordinary skill in the art at the time of the invention to calculate the frequency of the device of <u>Lai</u> using the method of <u>Holtz</u> and <u>Krause</u>, so that the text may be "displayed to the talent who is to read the scrolling text from a display" (<u>Holtz</u> [0273]).

Conclusion

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Saunders whose telephone number is (571) 270-1063. The examiner can normally be reached on Monday - Thursday, 9:00 a.m. - 4:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JS
December 5, 2007

SINH TRAN
SUPERVISORY PATENT EXAMINER